

What should neighbors do?

1. If noise gets too loud from a neighbor's property, call the occupant and ask nicely to have them keep the noise down. Surprisingly, asking nicely often is effective.



2. If you do not know who to call, consider calling the landlord if it is a rental unit. Look on the web at www.milwaukee.gov; go to "Departments", then "DNS", then "Property Data" to locate any recorded owner's name, address and telephone numbers. Any Noise Notice of Violation issued by DNS can also be tracked at this web site.
3. If all else fails, call the Milwaukee Police Department at 933-4444.
4. If they do not respond by the time that the noise ends, you can ask the police to issue a ticket IF you are willing to appear as a complainant in Municipal Court.
5. If the problem persists and you have documented it adequately, you may be able to institute legal action for damages. Contact the property owner with a written notice that a problem has occurred and ask for their assistance in preventing a recurrence. In cases of persistent problems, your documentation may be the basis for a private suit for deprivation of the right of quiet enjoyment of your property. Keep a chronological diary with dates, times, addresses and a description of the incident. Solicit neighbors to do the same.

What noise violations are NOT cited by DNS?

Noise from vehicle horns and car stereos – are handled by the Milwaukee Police Department. No matter what time of day or what day it is, a car tooting its horn is an alarm and an alert. **A CAR HORN CAN NOT BE USED AS A DOOR BELL!**

If the police are unable to respond in a timely manner, they may issue a noise citation if you are willing to be the complainant in court. Get the license plate number and vehicle description. By law you must be able to identify the driver in order for the citation to be issued. Then call the police at 933-4444. and follow their directions. **Automobile audio violators face up to \$1000 fines (City ord. 80-65-4) With two of more noise convictions in a three year period, violators also face confiscation of their equipment (City ord. 80-75)**

What if the noise is coming from an owner occupied property?

The Nuisance Noise Ordinance applies here as well. The owner will be notified after the first citation and charged with the cost of the police services after the second citation.

**NEIGHBORHOODS OF CHOICE ARE
NEIGHBORHOODS WHERE
RESIDENTS CAN SLEEP
UNDISTURBED.**

**WE ALL HAVE A RIGHT TO THE QUIET
ENJOYMENT OF OUR HOMES.**

MILWAUKEE'S NUISANCE NOISE ORDINANCE

DNS-120 V17 trw 4/18/06

What you need to know

If you are a property owner...

- What notice will you be given?
- How should you respond?
- Why should you care?

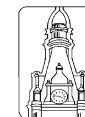
If you are a tenant...

- What is a violation?
- How can I prevent a violation?
- What happens if I get a noise citation?

If you are a resident...

- What should I do if I am disturbed by noise coming from a property?
- What if the noise has been turned down by the time that the police arrive?


FACTS ABOUT NOISE VIOLATIONS IN THE CITY OF MILWAUKEE




Department of
Neighborhood Services
www.city.milwaukee.gov



What does the ordinance say?

1. An owner of property (residential, commercial, rental or owner occupied) may not have a noise nuisance on their property. (80-63 Milw. Code.) 
2. Point source noise (noise from factories, equipment on commercial buildings, etc.) is measured and regulated by DNS. Call 286-2268.
3. Intermittent noise (boom boxes, loud parties, live music, etc) is measured by the police. If they determine that it is a nuisance **50 feet away** from the property, they can issue a citation.
4. If a citation is issued to an occupant (\$226), MPD will forward a copy to DNS who will issue a notice of violation to the property owner.
5. If a second citation is issued to the same tenant, DNS will notify the owner that the cost of police services and related administrative costs will be assessed against the tax bill of the property from where the noise was produced.
6. Under City Code Ord 80-65-4 b-4. Disorderly conduct– Noises created by human behavior which may also constitute disorderly conduct are subject to the Noise Ordinance.


What should property owners do?

1. Educate their tenants about both the law and their lease. All leases prohibit such noise violations by state law. 
2. Advise tenants to give their telephone numbers to neighbors who could call them before they call the police.
3. ☆ If you receive a Notice of Noise Violation from DNS, discuss it with your tenants. If the rental agreement is month to month, consider serving a 14 or 28 day notice to end the lease due to a lease violation or warn them that the next such incident will result in eviction.

☆ If the rental agreement is greater than month to month,(a long term lease) give a 5 day notice to cure and explain the consequences of a second noise violation.

☆ If you receive a second notice, consider an eviction action as an alternative to your being assessed a tax lien for Police and DNS administration costs.
4. For duplex and multi-family dwelling owners, use the opportunity to prevent noisy tenants from driving away your good tenants. Improve your profitability!
5. Talk to the neighbors at your property should you get a notice of violation related to a noise nuisance and let them know what action you are taking. Give them your telephone number so that they can let you know what is happening to your property.
6. Take DNS's Landlord Training Program. If you have done so some time ago, come back for a refresher. Call 286-2954.

What should tenants do?

1. Enjoy your home at a noise level that does not disturb others. That includes music and talking. 
2. Keep windows and doors closed to minimize noise from leaving the premises.
3. If you plan on a party and can foresee potential problems, call your neighbors and give them your telephone number. Ask them to call you instead of calling the police if the noise is a problem.
4. If you receive a noise citation, plan on a visit from your landlord and be prepared to explain why it will not happen again. Apologize to neighbors. Pay the **\$226** ticket or contest it in court.
5. If you receive a second citation, plan on looking for a new place to live. Most landlords screen out tenants with a history of eviction or neighborhood complaints, so plan on a difficult search.

NOTE: DNS can waive the cost of services if an owner has or is in the process of evicting the offending tenant.